

REMARKS/ARGUMENTS

The present Response is responsive to the non-final Office Action mailed November 22, 2010 in the above-identified patent application.

Claims 1-5 and 7-9 are the claims currently pending in the present application.

Rejection of Claims 1, 2, 5, 8 and 9 under 35 U.S.C. § 103

Claims 1, 2, 5, 8 and 9 are rejected under 35 U.S.C. § 103 as being obvious from Tinsley, U.S. Patent No. 6,967,956 in view of Kimura et al., U.S. Patent Application Publication No. 2002/0143975 and Kalavade et al., U.S. Patent Application Publication No. 2003/0051041. Reconsideration of this rejection is respectfully requested.

The following discussion of an embodiment of Applicant's invention as claimed in claims 1, 5 and 8 is provided to highlight aspects of Applicant's invention for purposes of illustration but in no way limits the scope of the claims. An advantage or effect according to an aspect of Applicant's invention as claimed in claims 1, 5 and 8 is that since a time that the conversion section spent to convert the signal is detected, a fee can be charged based on the time spent to perform the conversion regardless of whether communication is achieved between the terminals, as described, for example, at Specification, page 24, lines 23 - page 25, line 1.

Claims 1, 5 and 8 require detecting as conversion-process information a time the conversion section spent to convert the first signal or the second signal.

The Office Action cites Tinsley for such features (Office Action, page 2). Tinsley discloses that a gateway sends a message including information associated with the duration of "call" or communication (Tinsley, col. 11, lines 31-35 and 46-55). It will be readily understood that the duration of the "call" or communication in Tinsley includes a different period of time, because the "call" includes the time spent to perform the ability exchange, before the codec conversion or protocol conversion, that is required in communication between networks of different types. That is Tinsley discloses maintaining information with the duration of the "call" or communication, but this is quite different from detecting the time spent to perform the codec conversion or protocol conversion, as recited in claims 1, 5 and 8. Stated differently, the conversion-process information recited in claims 1, 5 and 8 does not include the time spent to perform the ability exchange or other times associated with the "call" discussed in Tinsley.

Further, the above-noted features of claims 1, 5 and 8 would not have been obvious based on Tinsley and the cited art. Tinsley and the cited art do not address the problem that the fee may

be charged when only the exchange is performed but communication is not achieved between the terminals, as discussed above.

Kimura and Kalavade do not disclose or suggest such features and the Office Action does not allege that Kimura and Kalavade disclose or suggest such features. Accordingly, even taken together in combination, Tinsley, Kimura and Kalavade do not disclose or suggest the recitations of claims 1, 5 and 8.

Claim 2 depends from claim 1 and claim 9 depends from claim 8. Therefore, claims 2 and 9 are patentably distinguishable over the cited art for at least the same reasons as their respective base claim.

Rejection of Claims 3, 4 and 7 under 35 U.S.C. § 103

Claims 3 and 7 are rejected under 35 U.S.C. § 103 as being obvious from Tinsley in view of Kimura, Kalavade and Jabri, U.S. Patent Application Publication No. 2003/0028643.

Claim 4 is rejected under 35 U.S.C. § 103 as being obvious from Tinsley in view of Kimura, Kalavade and Kauhanen, WO 02/052825. Reconsideration of these rejections is respectfully requested.

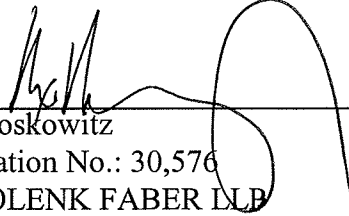
Jabri and Kauhanen do not cure the above-discussed deficiencies of Tinsley, Kimura and Kalavade as they relate to the above-noted features of claims 1 and 5. Further, the Office Action does not allege that Jabri and Kauhanen disclose or suggest such features. Accordingly, even taken together in combination, Tinsley, Kimura, Kalavade, Jabri and Kauhanen do not disclose or suggest the above-noted features of claims 1 and 5.

Claims 3 and 4 depend from claim 1 and claim 7 depends from claim 5. Therefore, claims 3, 4 and 7 are patentably distinguishable over the cited art for at least the same reasons as their respective base claim.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the present application are respectfully requested.

THIS CORRESPONDENCE IS BEING
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